

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

ERIC JAEGER AND JERRY A. SHANAHAN

Defendants.

No. 01:07-00039-SM

**JOINT MOTION OF SEC AND ERIC JAEGER TO CONTINUE
DEADLINE FOR REVISED PRETRIAL STATEMENTS**

Pursuant to Local Rules 7.2(d) and 39.2, Plaintiff U.S. Securities and Exchange Commission (“SEC”) and Defendant Eric Jaeger respectfully move jointly to continue the deadline for filing Revised Pretrial Statements pertaining to Mr. Jaeger, presently set for December 26, 2012. The SEC and Mr. Jaeger request this continuance, to allow the Court an opportunity to conclude its review of the SEC’s Assented-to Motion for Final Judgment (Dkt. 340).

As grounds for this motion, the parties state:

1. Trial is set to commence on January 23, 2013. Two claims remain pending against Mr. Jaeger: (i) Aiding and Abetting a scheme under Rule 10b-5(a) and (c) with respect to three transactions (Count III); and (ii) Noncompliance with the books/records requirements under Rule 13b2-1 with respect to one transaction (Count IV).

2. On December 13, 2012, the SEC filed an Assented-to Motion for Final Judgment, reflecting the terms of a settlement reached by the SEC and Mr. Jaeger. If granted, this assented-to motion would resolve this matter as to Mr. Jaeger.

3. Although the parties assented to the motion in order to effectuate the settlement, it remains subject to the review of this Court. Accordingly, the SEC and Mr. Jaeger respectfully submit that it would best serve the interests of justice and promote judicial efficiency to defer filing the revised pretrial statements until the settlement process can run its course.

Wherefore, the parties respectfully request that the Court:

1. Extend the deadline for filing the SEC's and Mr. Jaeger's Revised Pretrial Statements as pertain to Mr. Jaeger by one week, to January 2, 2013.
2. Provide any further or additional relief as justice may require.

Respectfully submitted,

U.S. SECURITIES AND EXCHANGE COMMISSION

/s/ Nancy J. Gegenheimer

Nancy J. Gegenheimer
U.S. Securities and Exchange Commission
1801 California Street, Suite 1500
Denver, CO 80202
(303) 844-1000
gegenheimern@sec.gov

ERIC JAEGER

By his attorneys,

/s/ Jonathan A. Shapiro

Jonathan A. Shapiro
Elizabeth H. Skey (admitted *pro hac vice*)
WILMER CUTLER PICKERING HALE AND DORR LLP
950 Page Mill Road
Palo Alto, CA 94304
(650) 858-6000

Jeffrey B. Rudman (admitted *pro hac vice*)
James W. Prendergast (admitted *pro hac vice*)
Peter A. Spaeth (admitted *pro hac vice*)
James T. Lux (admitted *pro hac vice*)
WILMER CUTLER PICKERING HALE AND DORR LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Dated: December 21, 2012

CERTIFICATE OF SERVICE

I, James T. Lux, hereby certify that this Joint Motion to Continue, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on December 21.

/s/ James T. Lux

James T. Lux

Dated: December 21, 2012